THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12604 OF 2006

-

23rd June, 2006.

Between:

D. Jayaram Naidu. ….Petitioner.

And

Assistant Secretary, Regional Transport Authority,

Hindupur, Anantapur district

and another. .. Respondents.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12604 OF 2006

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ORAL ORDER:

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This writ petition filed seeking a declaration that the action of the respondents in seizing and detaining petitioner's Taxi Cab bearing Registration No.A.P. 21-U-2633 vide vehicle check report No.423021 dated 7.6.2006, is arbitrary and illegal.

The check report dated 7.6.2006 shows that the vehicle was seized under Section 207 of the Motor Vehicles Act on the allegation that the vehicle was carrying passengers without payment of tax and that D.L., and tax proof was not produced.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the

allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.5,000/- (rupees five thousands only), and also furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed. It is made clear that the amount deposited in pursuance of the orders of this Court shall be subject to the out come of the enquiry.

Accordingly, the writ petition is disposed of leaving it open to respondents to proceed with the enquiry in accordance with law. No costs.

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(G. ROHINI, J.)

23rd June, 2006.

Gbs

Note:

Operative portion by wire at party's cost.